

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

CAMILLE CURTIS, individually, and )  
as surviving mother of deceased )  
DAVION MIKEAL HENDERSON, )  
Plaintiff, )  
v. ) Case No. 4:17-CV-02602-NCC  
CITY OF ST. LOUIS, MISSOURI, and )  
MATTHEW SHAW, in his individual )  
capacity, )  
Defendants. )

**MEMORANDUM AND ORDER**

This matter is before the Court on Defendants City of St. Louis, Missouri and Matthew Shaw's (collectively "Defendants") Motion for Judgment on the Pleadings on Counts I and III of Plaintiff's First Amended Complaint (Doc. 16). Plaintiff Camille Curtis, individually, and as surviving mother of deceased Davion Mikeal Henderson, ("Plaintiff") filed a Response and Cross-Motion for Leave to File Second Amended Complaint<sup>1</sup> (Doc. 18). Defendants did not file a reply brief. Because Plaintiff acknowledges the defects in her First Amended Complaint, the Court finds that, in the interests of justice, Plaintiff should be allowed to amend her complaint.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Cross-Motion for Leave to File Second Amended Complaint (Doc. 18) is **GRANTED**. The Clerk of Court shall detach and docket Plaintiff's Second Amended Complaint, filed as an attachment to Plaintiff's Response and Motion (Doc. 18-3).

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<sup>1</sup> The Court notes that all motions should be filed separately from any substantive response.

**IT IS FURTHER ORDERED** that Defendants' Motion for Judgment on the Pleadings on Counts I and III of Plaintiff's First Amended Complaint (Doc. 16) is **DENIED, without prejudice, as moot.**

Dated this 23rd day of March, 2018.

/s/ Noelle C. Collins  
NOELLE C. COLLINS  
UNITED STATES MAGISTRATE JUDGE